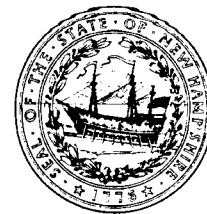




The State of New Hampshire
Department of Environmental Services



Michael P. Nolin
Commissioner

September 23, 2004

LETTER OF DEFICIENCY #WSEB 04-159
CERTIFIED MAIL #7000 0600 0023 9932 8171

Ellen Chandler
Wade Farm Condominium Association
Wade Farm Unit D2
Newmarket, NH 03857

Subject: Newmarket – Public Water System: Wade Farm Condominiums (EPA #1732020)

Dear Ms. Chandler:

The records of the Department of Environmental Services (DES) show that Wade Farm Condominiums water system is classified as a public water system (PWS), as defined by RSA 485:1-a. A PWS is defined as any water system serving 15 or more services, or 25 or more people for 60 or more days per year. As such, the water system owner is required to submit samples to the State laboratory or a State-certified laboratory for coliform bacteria analysis in compliance with NH Administrative Rule Env-Ws 325.

DES records show that Standard Maximum Contaminant Level (MCL) violations for total coliform bacteria, as defined in NH Admin. Rule Env-Ws 315.01 have occurred and that letters of violation were issued for the following months:

June 2004 and September 2004

DES believes the MCL violations can be corrected and future violations prevented by taking the following actions:

1. **By October 7, 2004**, retain the services of a qualified water system consultant to address the system's water quality problems relative to the recent bacteriological occurrences; and
2. **By October 21, 2004**, submit to DES for review a copy of the consultant's report which shall include recommendations to correct the bacteria contamination; and
3. **By November 4, 2004**, submit to DES for review and approval an implementation schedule which identifies specific dates by which steps to correct the bacteria contamination will be accomplished.

Please be reminded to carry out the public notice requirements and provide proof of public notice to DES for the September 2004 MCL violation.

Pursuant to NH Admin. Rule Env-Ws 352, the water system owner is required to issue to the system's customers a Consumer Confidence Report (CCR) by July 1st of each year. Env-Ws 352 also requires the system owner to forward a copy of the CCR to DES by July 1st of each year **and to submit certification of the CCR to DES by October 1st of each year.** DES acknowledges receipt of a copy of the 2004 CCR on August 30, 2004. However, to date, DES has not received the 2004 CCR Certification form. A future violation can be prevented by taking the following action:

4. **By October 1, 2004,** submit to DES the 2004 CCR certification.

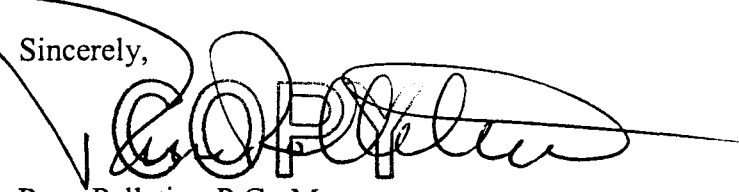
In the event compliance is not achieved within the above-referenced periods, DES may take further enforcement action, including issuing an order requiring the deficiencies be corrected, initiating an administrative fine proceeding and/or referring the matter to the NH Department of Justice for imposition of appropriate penalties.

The consultant's written report, implementation schedule and CCR Certification as requested above should be addressed as follows:

Anne S. Bailey
Department of Environmental Services
Water Supply Engineering Bureau
29 Hazen Drive, P.O. Box 95
Concord, NH 03302-0095

Please contact Anne Bailey by phone at (603) 271-0672, or by e-mail at abailey@des.state.nh.us if you have any questions regarding this letter.

Sincerely,



Rene Pelletier, P.G., Manager
Land Resource Programs

Enclosures: MCL public notice form
Master Sampling Schedule
2004 CCR Certification Form

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cc: Gretchen R. Hamel, DES Legal Unit Administrator
Town of Newmarket Health Officer
Christopher Countie, Pennichuck Water Works, Primary Operator (w/encl.)
EPA Region I